

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 644 – HB 813

March 28, 2017

SUMMARY OF ORIGINAL BILL: Expands the reporting requirements for the Annual Civil Asset Forfeiture Report provided by the Department of Safety (DOS) to committees of the Tennessee General Assembly. Requires the report to include information from the DOS as a whole and to be broken down for each law enforcement agency that opened a forfeiture proceeding with the Department in the previous calendar year. Expands, from six to seventeen, the number of data points required to be included within the report.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Exceeds \$100,000/One-Time

SUMMARY OF AMENDMENTS (004713, 006352): Amendment 004713 deletes and rewrites the bill such that the only substantive change is the removal of two demographic data points required to be included on the Annual Civil Asset Forfeiture Report.

Amendment 006352 adds language to the bill as amended that specifies that a popularly-elected judge must be in the county where the asset was seized to issue a forfeiture warrant, and specifies that a magistrate or judicial commissioner shall not issue forfeiture warrants.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Based on information provided by the DOS, the required data points in the amended legislation can be captured and reported within existing resources.
- No update of the Tennessee Traffic Analysis Network (TITAN) will be required to execute the provisions of the bill as amended.
- The DOS, the Administrative Office of the Courts, and the Department of State, all confirm that changing the person who is authorized to issue forfeiture warrants will not impact state or local governments.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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